REPORT OF THE ASSESSORS

into the cases of fitment as

per I.D 179/66 entrusted

TO ASSESSORS BY HON'BLE INDUSTRIAL TRIBUNAL, BANGALORE.

The assessors could take up the work only in October 1969 for want of proper procedure and clear instructions. The nature of the dispute and the papers dealing with the dispute had to be later obtained from the Management of Kampli Sugar Factory and the concerned Union to avoid delay.

The Meetings of the Assessors were held as follows :

16-9-1969	at Bellary
4-10-1969	at Bellary
6-1-1970, 7-1-1970, 8-1-1970	At Kampli Sugar Factory Kampli
9-1-1970, 10-1-1970	At Bellary

Nature of Dispute.

The Sugar Industry Wage Board was published in 1961 and was to be implemented from 1st November 1960. The wage Board had recommended various grades on an All India basis, with corresponding scales of pay etc., For each standard grade and designation the Wage Board also gave the job specification.

In implementing the Wage Board recommendation, the standard grade and designation of each employee had to be fixed according to the job specification and then the particular grade pay fixed to the employee. (Hence the actual work done by the employee) on 31st October 1960 was the only criterion to fix the Grade and Wages.

In the present dispute, the grades fixation of about 283 employees is being contested. To verify whether any injustice was done to employees in fixation of grade on 1st November 1960 (it is necessary to go into the nature of work done by each individual as on 31st October 1960. Obviously there is no means of physical verification of the actual work done nearly 10 years back

and hence the assessment had to be limited to the records available and the evidence given both parties in the course of assessment.

An important factor brought forth by the Management was that the factory itself was commissioned in 1958, and by November 1960, two seasons were completed and third crushing season was in progress. Further except for a few trained and experienced staff and workmen imported from outside areas, most of the other workmen were only local people without any experience in the sugar Industry. The third factor stressed was that on account of the new nature of Industry, there were no standard designations given to employees in many cases as may be the practice elsewhere in other similar Industries and while implementing the recommendations, designations were given to the employees as per the standard specifications in the report and the actual job that was being carried out by the workmen.

In the course of assessment of each individual cases, the following criteria were kept in view.

1. Date of joining
2. Experience and qualifications at the time of Joining
3. Designation and salary fixed at the time of joining
4. Number of persons required for the actual job at the time.
5. Actual work discharged by the workman as on 31st October 1960
6. Whether the actual work load as on 31st October 1960 justified additional workmen in a Grade at that time
7. Whether the experience and qualification of the workman at that time necessitate fitting him in a higher grade as claimed.

Assessment of individual cases was done by following methods.

1. Hearing of the views of the Union representatives and Management representatives and recording thereof.
2. Examination of documentary evidence put forth by both parties.
3. Hearing and recording of evidence of individual workmen wherever they came forward to do so voluntarily or at the request of the Union.

4. Actual visit to the various stations in the Factory and office to study the nature of work of various grades of workmen.

5. Hearing evidence of the experienced supervisory staff of different sections who were in employment on 31st October 1960 to get their views of the workmen working under them at that time.

The names of the persons who represented the two sides during the hearing of the case during Assessment.

On behalf of Union	*On behalf of Management*
On 6-1-70	
1. Sri. R. D. Gowd	1. Sri C. H. Chetty, Office Manager
2. Sri Sattar	2. Sri Gundu Rao
On 7-1-1970	
1. Sri R. D. Gowda	1. Sri. C. H. Chetty, Office Manager
2. Sri Sattar	
3. Sri R S Rao	2. Sri Gundu Rao

On 8th January 1970

1. Sri. R. D. Gowda	1. Sri. C. H. Chetty
2. Sri. Sattar	2. Sri. Gundu Rao
3. Sri. R. S. Rao.	
4. Sri. Ramaswamy	

In addition, the following individual workmen represented their cases in person before the Assessors :—

1. Umman Bhat (Manufactring Section No. 5)
2. K. Raghupathy Rao (Electrical Section No. 1)
3. Ramaswamy (Electrical Section No. 3)
4. Bhiswanath Sing (Engineering No. 4)
5. Narayan Bhat (Administration Section No. 15)
6. Basappa (Administration Section No. 3)
7. Veerabhadraiya (Manufacturing Section)

The following senior Supervisory staff gave evidence about the workmen working under their respective sections:—

Sriyuths:

1. R.S. Rao (Workshop Section)
2. Sattar (Boiler section)
3. Ramaswamy (Electrical Section)
4. Bhiswanath Singh (Engineering)
5. S. Krishna Murthy (Cane Section)

Finding of the Assessors

Out of the total 283 workmen, there were 54 who are not in service as on day of the assessment and hence there was no necessity to consider their cases as agreed to by both the parties I and II. These names are given in Appendix 'A'.

The Management had already given the designation and grades claimed to 14 workmen as per Annexure 'B'. Since the Management has already satisfied the workmen, there is no case of dispute. The only question that may have to be decided is the date of implementation in those cases decided subsequent to 1962. Whether restrospective effect can be given to such of those cases is a matter which the Hon'ble Industrial Tribunal may decide.

The remaining 215 cases were studied individually in detail and the assessors have given their considered views on each case unanimously. These cases are given in Annexure 'C'. Even in these cases, where Assessors have given views admitting the claim, it is a matter for Hon'ble Industrial Tribunal to decide whether the implementation is to be done with restrospective effect or from any subsequent date.

The assessors want to place on record the full co-operation extended by the representatives of Management and Union, and extend their thanks to both Management and Union for the cordiality and co-operation which contributed to make the task of the Assessors considerably easy.

The report of the Assessors is hereby submitted before the Hon'ble Industrial Tribunal, Bangalore.

Assessors

	Sriyuths :
Representing the Management	(1) C. S. Nagaraja Rao.
Reprenting both Management and Labour.	(2) V. R. Kalbag
Representing the Labour Union	(3) A. Basavan Goud.

ANNEXURE 'A

LIST OF PERSONS WHO HAVE LEFT THE SERVICE

Manufacturing Section

Sl. No. 1	S. No. in the List. 2	Name 3
1	9	A. Sangappa
2	13	M Ranga Reddy
3	14	Mahadev Singh
4	17	Veera Reddy
5	25	Veerabhadraiah
6	31	Mudukappa
		Supervisory
7	2	Mehsboob Sab
8	5	Charles Johan
		Boiler
9	6	Mahaboob Doule
10	7	Ponnaiah
		Mill House
11	6	T. K. Mahamed
12	17	G. P. Hanumantha Reddy
		Boiling House
13	3	Shaik Imam Saheb
14	10	Poornachandra Rao
15	11	Gurusiddaiah

1	2	3
16	15	Govindarajulu
17	20	Jayanath Singh
18	22	Subramanya Setty
19	24	Sadananda
		Workshop
20	1	D. Samual
21	2	Md. Vali
22	5	Dalbeep Singh
23	6	Sanjeev Reddy
24	7	Amar Singh
25	8	Parvatha Reddy
26	15	Ranjit Singh
27	16	Vittal Rao
28	19	Hussain
29	20	Amalanathan
30	22	Anjanappa
31	23	B. Vali Sab
32	28	Sattar Sab
		Electrical
33	14	Hemanna
		Centrifugal
34	1	P. Rama Naidu
35	14	Jambana Goud
36	24	Laxmappa
37	24	T. Subramanyam
		Case Administrative Staff
38	1	H. B. Narasinga Rao
39	9	Rajashekara Goud
		Administrative
40	5	Chandranna
41	14	Seetharam
42	17	Jagadeswara Rao

1	2	3
		Cane Department
43	10	K. Venkobanna
44	24	V. N. Reddy
46	27	Mallikarjunappa
47	29	S. Virupakshappa
48	36	Kottrappa
49	38	C. H. Venkateshulu
50	48	Muthelif
51	51	P. Agnihotri
52	52	K. Sethu Rao
53	54	G. Hanumanthappa
54	59	D. Sanna Basanna

ANNEXURE 'B'

CASES ALREADY CONSIDERED BY THE MANAGEMENT

Sl. No.	S. No. in the List.	Name	Date from which considered.
		Manufacturing Section	
1	1	Ramaji Singh	
2	2	Rameswara Dube	
3	4	B. B. Pandu	1-3-67
4	10	Ramawarup Jadhav	1-3-67
5	11	Parswanath Pande	1-3-67
6	15	A. Sankrappa	1-3-67
		Boiler	
7	10	Honnurappa	
8	12	Kanbavarayan	
		Boiling House	
9	23	Basavaraj	
		Administrative Section	
11	19	Krishna Murthy	
12	20	Veerabhadraiah	
13	21	V. Chandrasekhar	
14	22	Syed Chouse Basha	

ANNEXURE C.

Sl. No.	Sl. No. of the List	Name	View of Assessors
1	2	3	4
1	3	D. Sreenivasachar	D. Sreenivasachar to be designated as Pan man and given S.A. from the date Sri Ramji Singh was promoted as Pan-in-charge in view of his qualification (Pan Boiling Course) even before 1960.
2	5	Umman Bhat	To be designated as Pan man from the date Sri Rameswar was up-graded as Pan in-charge and to be given S.A. from that date in view of his previous experience in other factory before joining here.
3	6	D. Mahaboob Sab	No case
4	7	N. S. Rao	No case
5	8	B Ram	No case
6	10	Rameswar	No case
7	13	Praneshwar Singh	No case
8	16	Doddabasappa	To be given S.S.A.
9	18	Panduranga Setty	To be given S.S.A.
10	19	Balaiah	No case
11	20	Abdul Nabhi	No case
12	21	Hanumantha Reddy	No case
13	22	Girivappa	No case
14	23	K. Veerabhadraiah	No case
15	24	Y. Obi Reddy	No case
16	26	J. Prabhakar Rao	No case
17	27	N. U. Narayana Reddy	No case
18	28	Y M. Veerabhadraiah	No case
19	29	Bala Naidu	No case
20	30	Basavannappa	No case
21	32	Narayana Char	No case
22	33	A Usman Shariff	No case
23	34	Venkoba Rao	No case

1	2	3	4
		SUPERVISORY	
24	1	K. Raghupathi Rao	No case
25	3	Rama Swamy	No case
26	4	Biswa ath Singh	No case
27	6	Suragar	No case
28	7	Md. Zakria	No case
29	8	Ananda Rao	Though the W.R. recommends S.A. for Electrician in view of his experience and nature of work actually discharging H.S. 'B' grade to be given
		BOILER SECTION	
30	1	C. Abdulla	No case
31	2	Sannabash	No case
32	3	B. A. Sattar	No case
33	4	P. Bahader	No case
34	6	Parasappa	To be designated as Fireman and given S.S.A.
35	8	Narayana	To be designated as Fireman and given S.S A.
36	9	Parvathappa	To be designated as Fireman and given S.S.A.
37	11	Hemadri	No case
38	13	Takappa	To be designated as Water man and given S.S.B. grade
39	14	Ayyappa	-do-
40	15	Mohammo	-do-
41	16	Veeraiah	Person not identified
42	17	Yarrappa	No case
		MILL HOUSE	
43	1	Selvan Kumar	No case
44	2	P. Hanumanthu	No case
45	3	Mangaraya	No case
46	4	K. P. Beeraiah	No case
47	5	K. P. Abdullah	No case
48	7	B. Nagappa	No case
49	8	Kunji Raman Pillai	No case
50	9	Hanumantha Char	No case
51	10	I. Gopal	No case
52	11	Madar Sab	No case

1	2	3	4
53	12	B. Vittal	No case
54	13	R. Umar	No case
55	14	Kareem	No case
56	15	Goolappa	No case
57	16	Girijappa	No case
58	18	Pashu	No case
59	19	Nagi Reddy	No case
60	20	M. Mareppa	No case
61	21	K. H. Peera	No case
62	22	Narasimhulu	No case
63	23	Buran	No case
64	24	Sashu	No case
65	25	Virupakshappa	No case

BOILING HOUSE

66	1	Madar Sab	No case
67	2	Dustagir Sab	To be designated as Fitter I and give S.A. grade
68	4	Ramaswamy	To be designated as Fitter III and given S.C.
69	5	H. M. Shariff	To be designated as Fitter II and given S.B.
70	6	S. Nallanna	No case
71	7	G. Ramaswamy	To be designated as Fitter III and given S.C.
72	8	Raghunandan Singh	To be designated as Fitter III and given S.C.
73	9	Govinda Rao	No case
74	12	Ambanna	No case
75	13	M. Hanumanthappa	To be designated as Fitter III and given S.C.
76	14	S. Venkatesulu	No case
77	16	Munikannappa	No case
78	17	Sheik Khaja Hussain	No case
79	18	H. B. Eswarappa	No case
80	19	Doss	No case
81	21	Muddanna	No case

WORK SHOP

82	3	H. M. Chandra Shekaraiah	To be designated as Fitter II and given S.B.
83	4	N. Krishna	-do-
84	9	Iqbal	No case

1	2	3	4
85	10	Sheikshavali	No case
86	11	Mastar appa	No case
87	12	N. Shanka appa	No case
88	13	Shankarappa	No case
89	14	Repitition of 13	
90	17	Tippeswamy	To be given S.S.B. and designated as Turner helper or an anology to fitter helper
91	18	Oblappa (Chinna Obalesh)	No claim
92	21	Lateef	No claim
93	24	Kollarappa	To be given S.S.B. and designated as Welder Helper or an anology to fitter helper
94	25	Anjinappa	-do-
95	26	Raju	No claim
96	27	Aswathappa	To be designated as Asst. carpenter and given S.S.A.
97	29	Gangappa	No case
98	30	Mahantaish	To be designated as Fitter III and given S.C.
99	31	John Sumanth	To be designates as fitter I and given S.A. grade

ELECTRICAL

100	1	Y. Narayana	No case
101	2	Chikkaiah	No case
102	3	Bhimana Gouda	No case
103	4	Mallikarjuna	No case
104	5	Murari	No case
105	6	G. Sreedhara Murthy (This should be G. Sreedharachar)	No case
106	7	Armugam	No case
107	8	K. Nagappa	No case
108	9	K. Chandrappa	No case
109	10	Hulagappa	No case
110	11	P. Bheemappa	No case
111	12	Y. K. Hanumappa (This should be Y. K. Honnurappa)	No case
112	13	V. Budana Lathi	No case
113	15	B. Pompana	No case
114	16	B. Basha Sab	No case

1	2	3	4
		CENTRIFUGAL SECTION	
115	2	Gnana Prakasham	No case
116	3	M. Krishna Murthy	No case
117	4	C. Venkanna	No case
118	5	Chalam	No case
119	6	Chakrapani	No case
120	7	S. Narayana	No case
121	8	Saranappa	No case
122	9	Laxmaia	He is to be only designated as C. F. operator from the day he was given S.S.B. scale as the grade claimed was already given
123	10	Rachaiah	-do-
124	11	K. Hussain	-do-
125	12	K. Narappa	-do-
126	13	Raghavendra Rao	-do-
127	15	G. Narayana	-do-
128	16	Kallappa	-do-
129	17	Narayana Swamy	-do-
130	18	Pashu	-do-
131	19	G. Hampaiah	-do-
132	20	Krishna Murthy	-do-
133	21	Hussain	-do-
134	22	Charlie	-do-
135	23	Basanna	-do-
136	2	M. C. Puttamallaiah	To be designated as Assistant Cane accountant from the day his apprentice period ended after 1st November 1960 and given Clerical IV grade
137	3	L. Jaya Naidu	do
138	4	M. Kalappa	No case
139	5.	M. Vijayendra Char	To be designated as Assistant Cane Accountant and given clerical IV
140	6	G. T. Perumaiah (G. J. Pompaiah)	To be designated as Assistant Cane Accountant from the day his sprentice period ended after 1st November 1960 and given clerical IV

1	2	3	4
141	7	Mareppa	To be designated as Assistant Cane Accountant and given clerical IV.
142	8	C. Madilatalah	do
143	10	Sethurao and Six others	Not identified
		Administration Section.	
144	1	M. N. Moorthy	No case
145	2	J. I. Raju	No case
146	3	K. Basappa	No case
147	4	P. Basappa	No case
148	6	R. Gundu Rao	No case
149	7	Venkata Swamy	No case
150	8	Rama Swamy	No case
151	9	Prahallada Rao	He is to be given Grade in IV view of the duties entrusted to him
152	10	Sastry	No case
153	11	G. Basappa	No case
154	12	Veerena Gouda	No case
155	13	Chikkarangappa	He is to be given grade IV from the date he completed his apprentice ship after November 1960 and given the designation of Asst. Time Keeper
156	15	Narayana Bhutt	He is to be designated as General Asst. in view of the fact that he was not working as a Tracer and he is to be fitted in grade I I as he was working in simila post

2		3	4
157	16	Nandaraj Singh	No case
158	17	Anjaneyulu	No case
		Cane Department.	
159	1	N. Thimma Reddy	No case
160	2	Mahaboob	No case
161	3	M. Krishna Rao	No case
162	4	P. Krishna Rao	No case
163	5	B. Krishnappa	No case
164	6	Seetaram Magal	No case
165	7	B. V. Sreekanta	No case
166	8	Ramaish	No case
167	9	D. Ramappa	No case
168	11	Y. Venk banna	No case
169	12	U. Chandra Shekar	No case
170	13	M. Saraiaiah	No case
171	14	J. Venkatagiri Achar	No case
172	15	N. B. Joshi	No case
173	16	S. Krishna Moorthy	No case
174	17	K. M. Doddabasaiah	No case
175	18	G. M. Ayya Swamy	No case
176	19	H. Govindappa	No case
177	20	T H. M. Gurumoorthy	No case

1	2	3	4
178	21	Syed Masoom Basha	No case
179	22	R. Venkataramanaiah (it should be Venkaramanappa)	No case
180	23	C. Subba Rao	No case
181	25	Sreekeswara Rao (it should read Shivakchava Rao)	No case No case
182	26	Siddalingana Gowda	No case
183	28	K. Adinaraynaa Reddy	No case
184	30	S. Nagana Gowda	No case
185	31	V. Thammu Setty	No case
186	32	N. Sade Cherya (should read as Styojathaiah)	No case
187	33	Basaiah	To be designated as Weighman clerk and given the Grade V clerical
188	34	Narayanappa	do
189	35	Vasudeva Bhat	do
190	37	Viswanath	do
191	39	Palakshi (This should read Palakshi Reddy)	No case
192	40	Sambanna	To be designated as Weighman clerk and given V clerical
193	41	Repitition of Sl. No. 53	
194	42	K. Veeranna	No case

1	2	3	4
195	43	D. Lingappa	To be designated as Cane Office Clerk in Grade IV
196	44	K. Ramachar	do
197	45	K. Bheemasena Rao	do
198	46	Addul Azeez	do
199	47	K. R. Ramdayal Singh	do
200	49	S. Venkatesulu	do
201	50	Govinda Reddy	do
202	53	N. Suguraiah	To be designated as Sheet Writing Clerk in Grade V
203	55	R. Rudraiah	To be designated as Ticket Writer in Grade IV.
204	56	V. M. Channabasavana Gouda	do:
205	57	B. Narasimha Reddy	To be designated as Sheet writing clerk in Grade V.
206	58	C. Honnurappa	To be designated as Ticket Writer in Grade VI.
207	60	Mallikarjuna Reddy	To be designated as Sheet Writing Clerk in Grade V.
208	61	P. Subba Rao	do
209	62	M. Nagi Reddy	do
210	63	J: Basalingappa	do
211	64	A. Bheemanna	do
212	65	H. Chandrasekharaiah	do

1	2	3	4
213	66	H. M. Chandra-sekharaiah	do
214	67	Siddaramaiah	do
215	68	C. Thimmanna	do
216	69	K. Hanumanthappa	do
217	70	Sripuranta Swamy	To be designated as weighment clerk and given V Grade Clerical.